

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**NOEL BRALLEY,
CAROLYN BRALLEY,
and
BRAXTON BRALLEY,**

Plaintiffs,

v.

Case No. 3:10-cv-138-REP

MARK A. CAREY, *et al.*

Defendants.

MOTION FOR ORDER TO SHOW CAUSE

The Plaintiffs, by counsel, move for an order directing Defendants to show cause why they should not be found in civil contempt for failure to comply with the Court's Order (Doc. No. 37) that they respond to post-judgment discovery by April 12, 2011, and for refusal to pay the agreed judgment entered by this Court (Doc. No. 20, November 12, 2010). 18 U.S.C. § 401(3); Fed. R. Civ. P. 37(b).

Plaintiffs respectfully request this Court to issue an Order directing Defendants to appear before this Court at a time and place to be fixed in said Order, to show cause why they should not be adjudged in civil contempt of this Court; and for failure of Defendants to appear; and

THEREAFTER, (a) issue an Order adjudging Defendants in civil contempt of this Court's Order and Final Judgment, and issue a Form AO442;

(b) Order and direct Defendants forthwith to comply therewith; and further

(c) Impose upon Defendants a fine of up to \$1,000 for every day after this Court's Order that Defendants fail to carry out the directions of this Court;

(d) Issue such further orders as the nature of the case may require and as the Court may deem just and proper to compel obedience to and compliance with the orders and decrees of this Court; and

(e) Grant to the Plaintiffs the costs and fees of maintaining this proceeding.

Respectfully submitted,
Noel Bralley
Carolyn Bralley
Braxton Bralley
By Counsel

/s/
By: Dale W. Pittman, VSB#15673
Counsel for Noel Bralley, Carolyn Bralley
and Braxton Bralley
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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of May, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and hereby certify that I will mail the document by U.S. mail to the following non-filing users:

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/s/ _____
Dale W. Pittman

¹ The service addresses for Defendants are, Docket No.32, Attachments 2-5, respectively: the address shown in the letter of Robert R. Musick to Mark A. Carey, Mark A. Carey's address of record with the New York Bar Association; Mark A. Carey's address of record with the Georgia State Bar; and the address of record for Law Offices of Mark A. Carey, P.C., as shown on the docket sheet in *Bralley v. Carey*, Civil Docket for Case #:1-11ml-00002-WBH-ECS, Northern District of Georgia, where this defendant herein has appeared on a Motion to Quash a third party subpoena served by Plaintiffs herein in aid of execution on the judgment entered by this Court, as well as the address shown on this defendant's website, as follows: http://markcareylaw.com/index.php?option=com_content&view=article&id=124&Itemid=58.